

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

ROBERT NELSON HOWELL, JR.
Reg #09232-026

PETITIONER

VS.

CASE NO.: 2:12CV00087 DPM/BD

**T.C. OUTLAW, Warden,
Federal Correctional Complex,
Forrest City, Arkansas**

RESPONDENT

RECOMMENDED DISPOSITION

I. Procedure for Filing Objections

The following Recommended Disposition (“Recommendation”) has been sent to United States District Court Judge D.P. Marshall Jr. Mr. Howell – or any party – may file written objections to this Recommendation.

Objections must be specific and must include the factual or legal basis for the objection. An objection to a factual finding must identify the finding of fact believed to be wrong and describe the evidence that supports that belief.

An original and one copy of objections must be received in the office of the United States District Court Clerk within fourteen (14) days of this Recommendation. A copy will be furnished to the opposing party.

If no objections are filed, Judge Marshall can adopt this Recommendation without independently reviewing all of the evidence in the record. By not objecting, you may also waive any right to appeal questions of fact.

Mail your objections and “Statement of Necessity” to:

Clerk, United States District Court
Eastern District of Arkansas
600 West Capitol Avenue, Suite A149
Little Rock, AR 72201-3325

II. Background and Recommendation

Petitioner Robert Nelson Howell, Jr. filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 (docket entry #1) on May 14, 2012. At the time of filing, Mr. Howell did not file a motion to proceed *in forma pauperis* or pay the \$5.00 filing fee to the Court.

On May 16, 2012, the Court ordered Mr. Howell to either file a motion to proceed *in forma pauperis* or pay the \$5.00 filing fee to the Court within thirty days of entry of the order. The Court noted in the order that failure to comply would result in dismissal of this action under Local Rule 5.5(c)(2) and the Federal Rules of Civil Procedure. Mr. Howell has not paid the filing fee or filed a motion to proceed *in forma pauperis*, and the time for doing so has passed.

The Court recommends dismissal of Mr. Howell’s petition for writ of habeas corpus, without prejudice.

DATED this 20th day of June, 2012.



UNITED STATES MAGISTRATE JUDGE